

MRMC LABORATORY PERSONNEL MANAGEMENT DEMONSTRATION PROJECT

POSITION CLASSIFICATION APPEALS

PURPOSE AND SCOPE

To establish policy guidance for employees to appeal the classification of their positions. This procedure applies to all civilian employees covered by the MRMC Personnel Demonstration Project (PDP). Where provisions of a negotiated agreement conflict with the following procedures, the provisions of the agreement will be followed.

RESPONSIBILITIES

Employees are responsible for filing classification appeals (no other person may file an appeal on the employee's behalf). Supervisors with delegated classification authority are responsible for explaining the basis for classification decisions to employees with assistance from the servicing Civilian Personnel Advisory Center (CPAC). The servicing CPAC is responsible for providing procedural advice on the appeal process to employees; for accepting, reviewing the package for completeness, and forwarding the appeals package to DoD for adjudication.

PROCEDURES

1. General Policy: Employees have the right to appeal the classification of their position, at the time, without interference or discouragement from their supervisors. An employee must be officially assigned to a position before initiating a classification appeal. Appeals challenging a proposed classification action will not be accepted. Employees must first file a classification complaint, either orally or in writing, before filing an appeal with DoD.
2. Restrictions
 - a. An employee may not use these procedures when the evaluation of his/her position is currently or has been the subject of an appeal through DoD or OPM channels or is being or has been considered in connection with an adverse action appeal.

- b. The accuracy of job descriptions will not be considered under these procedures. Questions of fact concerning job description accuracy must be resolved between the employee and the supervisor. When conflicts cannot be resolved, the Commander/Director will make a final decision. Employees may use agency grievance procedures where agreement on job description accuracy cannot be reached.
 - c. An employee may not appeal the demonstration classification criteria or the pay-setting criteria; the title of a position; the accuracy of the occupational family or the assignment of occupational series to occupational families; the propriety of a salary schedule; or matters grievable under an administrative or negotiated grievance procedure or an alternative dispute resolution procedure.
3. Representation and Assistance: An employee may be assisted by a representative of his/her own choosing in preparing and presenting a classification complaint or appeal. The representative may not be a member of the servicing CPAC. A position classification appeal is an appeal of a management action. Therefore, a supervisor with line or staff authority over the position will not help a subordinate write an appeal.
4. Classification Complaint: A classification complaint is an employee's request for a review, at the activity level, of the pay plan, occupational series, position title, and pay band of his/her position. Employees must formally raise the area of concern to supervisors in the immediate chain of command, either verbally or in writing. The purpose of the complaint procedure is to resolve the area of disagreement at the lowest practical level within the organization. Supervisors, with assistance from the CPAC, will discuss the matter with the employee and explain the basis on which the position was evaluated. If the employee is satisfied, no further action is necessary. If changes in the classification of the position is required, they will be submitted to the CPAC within one week of the decision. The case will then be closed. If the employee is not satisfied, he/she may initiate a formal classification appeal to the DoD appellate level.

5. Appeal Channels: Formal classification appeals must be filed with DoD. If the employee is not satisfied with the DoD response, he/she may then appeal to the Office of Personnel Management (OPM) only after DoD has rendered a decision. Since OPM does not accept classification appeals on positions which exceed the GS-15 level equivalency, appeal decisions involving Pay Band V of the Engineers and Scientists Occupational Family will be rendered by DoD and will be final. All OPM appeal decisions are final and represent the end of the administrative appeals process.
6. Timeframes/Effective Dates: In order to preserve retroactive benefits in those cases where a classification decision has resulted in a loss of pay band, the classification appeal must be filed within 15 calendar days of the effective date of the action. The effective date of any action required by a classification appeal decision will be no later than the beginning of the fourth pay period following the date of the decision.
7. Cancellation and Reopening of Appeals:
 - a. Pending position classification appeals will be canceled upon the appellant's written request. The CPAC will advise the appropriate appellate authority when an employee is no longer assigned to the position which is the subject of a pending appeal.
 - b. Appellants are to cooperate in processing their appeals. If an employee does not furnish information within the time period specified by the requesting authority, the appeal may be canceled or it may be adjudicated on the basis of available information, if feasible.
 - c. Generally no classification appeal may be reopened after it has been canceled or dropped because of the appellant's failure to submit requested information or after a decision has been rendered except under extraordinary conditions.

EXCEPTIONS

Exceptions to the procedures in this document must conform with the policies issued from appellate organizations. If an issue is not covered by their policies, authority to make exceptions on a case by case basis will be reviewed by the MRMC Personnel Management Board and a recommendation made to the Commanding General, USAMRMC for a final decision.

APPENDIX

1. Appendix A contains an outline of the classification complaint/appeal process.
2. Appendix B describes the content of a classification appeal.
3. Appendix C contains a sample format for an appeal letter.

POC: MRMC PDP Manager

APPENDIX A
OUTLINE OF COMPLAINT/APPEAL PROCESS

Employee

1. Raises the classification issue with supervisors in the chain of command, either orally or in writing.
2. If dissatisfied with the outcome of the classification complaint, may initiate a formal classification appeal by preparing a written package containing the information required in Appendix B of this procedure.
3. Forwards the complete appeal package through supervisory channels to the Activity Commander/Director. The Commander/Director forwards the appeal to the servicing CPAC for further processing.

CPAC

1. Advises employee on procedural aspects of filing an appeal. Obtains signatures of employee and supervisor attesting to the accuracy of the position description. Attaches the activity response to any classification issues presented in the appeal and a copy of the performance standards. Provides any supplementary information bearing on the position's duties and responsibilities.
2. Attaches a copy of the official position description and classification evaluation statement of the appellant and the appellant's supervisor. If the position appealed is supervisory, attaches copies of the subordinate position descriptions and evaluation statements used for determining base level of work supervised. Includes in the package applicable organizational charts, mission and function statements, and a copy of the employee's latest SF-50.
3. Reviews package to ensure all necessary documents are attached. Prepares transmittal letter, including name and address of point of contact within the CPAC, and forwards package to the appropriate appellate level.

APPENDIX B
CONTENT OF CLASSIFICATION APPEAL

1. Employee's name, mailing address, and office telephone number.
2. Employee's complete organizational location (e.g., division, branch, section and the employing component (installation name, mailing address)).
3. Employee's current title, pay plan, occupational series and pay band.
4. Requested title, pay plan, occupational series, and pay band.
5. Reasons why the employee believes the position classification is in error. The employee should refer to position classification standards that support the appeal and should state specific points of disagreement with the evaluation statement. The employees may also include a statement of facts that he/she thinks may affect the final classification decision.
6. Name, address, and business telephone number of employee's representative, if any.
7. Copy of the official position description and evaluation statement (if available); if the position is supervisory, copies of the position descriptions and evaluation statements used for determining base level.
8. Location of the position within the component, including organization charts and mission and function statements.
9. A signed statement, within 90 days of appeal, from the immediate supervisor or higher management official certifying that the position description is complete and accurate.
10. A copy of the employee's latest SF-50.
11. Copies of previously issued appeal or review decisions that address the classification of the position.
12. The activity response to any classification issues raised by the appellant.
13. Any supplementary information bearing on the position's duties and responsibilities including a complete analysis of any point on which the activity disagrees with the employee's description of the work.

14. A copy of the official position description and evaluation statement (if available) of the employee's immediate supervisor.
15. Name and telephone number of the CPAC point of contact.

APPENDIX C
SAMPLE FORMAT FOR CLASSIFICATION APPEALS

DATE:

SUBJECT: Position Classification Appeal - (Appellant's Name)

THRU: (Supervisory Channels)
(Activity Commander/Director)

TO: (Appellate level)

1. Reference MRMC Personnel Demonstration Project Policy #3, dated _____.
2. I hereby appeal the classification of the position to which I am now officially assigned. The following information is furnished as required by the appellate activity.
 - a. Name of appellant
 - b. Complete organizational location including installation, branch, section, etc.
 - c. Current job number and classification
 - d. Job classification requested
 - e. Appellant's representative (if any)
 - f. Reasoning supporting this request:

(Typed name/signature)
(of appellant)